

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

BRIAN A., et al.,

Plaintiffs,

v.

PHIL BREDESEN, Governor of the
State of Tennessee; and VIOLA MILLER
Commissioner of the Tennessee
Department of Children's Services,

Defendants.

Civ. Act. No. 3:00-0445
Judge Todd J. Campbell

PROPOSED ORDER

Plaintiffs have moved for approval of attorneys' fees and expenses in this matter for the period August 1, 2008 through January 31, 2009. Plaintiffs' counsel seeks \$102,205.50 in attorneys' fees and \$3,898.51 in out-of-pocket expenses. Defendants have agreed to the amount of requested fees and expenses after arm's-length negotiations between the parties and do not oppose Plaintiffs' motion. Having duly considered all papers submitted in connection with Plaintiffs' motion for reimbursement of attorneys' fees and expenses, the Court hereby grants Plaintiffs' motion for \$102,205.50 in attorneys' fees and \$3,898.51 in out-of-pocket expenses pursuant to Fed. R. Civ. P. 23(h), Local Civil Rule 54.01(b) and 42 U.S.C. § 1988. Having previously found that application of Rule 23(h) does not require approval of notice, publication and a hearing in connection with each of Plaintiffs' periodic requests for fees, the Court further orders that notice and hearing are not required in connection with this motion.

SO ORDERED, this the ____ day of _____, 2009, at Nashville,
Tennessee.

Todd Campbell
HON. TODD J. CAMPBELL
United States District Court